

## **Exhibit 2**

**DECLARATION OF  
NICHOLAS E. PETREE**

Pursuant to 28 U.S.C. § 1746, the undersigned declares as follows:

1. My name is Nicholas E. Petree, my date of birth is May 1, 1987, and my business address is 711 Louisiana Street, Suite 2150, Houston, Texas 77002. I am a counsel of record for Defendants Shopify Inc., Shopify Commerce Singapore Pte. Ltd., and Shopify International Limited. The facts stated in this declaration are within my personal knowledge. I declare under penalty of perjury that they are true and correct.

2. Attached hereto is a true and correct copy of relevant excerpts from the United States District Courts – National Judicial Caseload Profile, which is publicly accessible at [https://www.uscourts.gov/sites/default/files/data\\_tables/fcms\\_na\\_distprofile0630.2024.pdf](https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0630.2024.pdf).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Houston, Texas on January 23, 2025.



*Nicholas E. Petree*  
Signature

Nicholas E. Petree

## United States District Courts — National Judicial Caseload Profile

		12-Month Periods Ending							
		Jun 30 2019	Jun 30 2020	Jun 30 2021	Jun 30 2022	Jun 30 2023	Jun 30 2024		
Overall Caseload Statistics	Filings <sup>1</sup>	405,236	519,341	469,750	385,613	384,488	431,025		
	Terminations	429,308	380,391	353,351	383,834	408,133	394,999		
	Pending	461,481	599,049	715,242	716,286	692,219	724,209		
	Percent Change in Total Filings Current Year Over Earlier Year	6.4	-17.0	-8.2	11.8	12.1			
	Number of Judgeships	677	677	677	677	677	677		
	Vacant Judgeship Months <sup>2</sup>	1,558.7	1,012.6	783.0	898.1	758.2	554.1		
Actions per Judgeship	Filings	Total	599	767	694	570	568	637	
		Civil	434	622	553	434	436	503	
		Criminal Felony	125	110	106	96	93	95	
		Supervised Release Hearings	40	35	35	39	39	38	
	Pending Cases <sup>2</sup>		682	885	1,056	1,058	1,022	1,070	
	Weighted Filings <sup>2</sup>		528	632	605	501	503	554	
	Terminations		634	562	522	567	603	583	
	Trials Completed		17	13	12	16	16	15	
	Median Times (Months)	From Filing to Disposition	Criminal Felony	7.0	6.4	10.2	10.8	11.0	11.3
		Civil <sup>2</sup>		12.2	8.9	8.6	10.4	10.4	8.1
		From Filing to Trial <sup>2</sup> (Civil Only)		27.2	28.4	28.3	33.8	35.7	35.0
Other	Number (and %) of Civil Cases Over 3 Years Old <sup>2</sup>		58,659	54,664	68,193	84,477	197,152	261,163	
	16.1 10.9 11.3 13.9 33.5 41.7								
	Average Number of Felony Defendants Filed per Case		1.2	1.2	1.3	1.3	1.2	1.2	
	Jurors	Avg. Present for Jury Selection		52.3	51.5	47.9	51.6	51.0	49.1
		Percent Not Selected or Challenged		38.1	39.6	38.0	41.2	41.1	40.6

## 2024 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Total Civil	340,683	Total Criminal <sup>1</sup>	64,355
A-Social Security	13,874	A-Marijuana	641
B-Personal Injury/Product Liability	98,899	B-All Other Drugs	16,162
C-Prisoner Petitions	49,571	C-Immigration	23,261
D-Forfeitures and Penalties	787	D-Firearms and Explosives	9,510
E-Real Property	4,944	E-Fraud	5,219
F-Labor Suits	12,938	F-Violent Offenses	2,338
G-Contracts	31,960	G-Sex Offenses	3,177
H-Torts (other than Personal Injury/Product Liability)	29,251	H-Forgery and Counterfeiting	101
I-Intellectual Property Rights	14,640	I-Larceny and Theft	706
J-Civil Rights	45,132	J-Justice System Offenses	680
K-Antitrust	708	K-Regulatory Offenses	859
L-All Other Civil	37,979	L-All Other Criminal	1,701

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> Filings in the "Overall Caseload Statistics" section include criminal transfers, whereas filings "by nature of offense" do not.

<sup>2</sup> See "Explanation of Selected Terms."

## U.S. District Court — Judicial Caseload Profile

TEXAS SOUTHERN		12-Month Periods Ending						Numerical Standing Within			
		Jun 30 2019	Jun 30 2020	Jun 30 2021	Jun 30 2022	Jun 30 2023	Jun 30 2024				
Overall Caseload Statistics	Filings <sup>1</sup>		16,792	18,459	16,131	14,753	14,753	14,130	U.S. Circuit		
	Terminations		15,234	18,282	15,157	15,779	14,740	14,155			
	Pending		14,246	14,466	15,588	14,657	14,631	14,737			
	Percent Change in Total Filings Current Year Over Earlier Year		-15.9	-23.5	-12.4	-4.2	-4.2				
Number of Judgeships			19	19	19	19	19	19			
Vacant Judgeship Months <sup>2</sup>			30.7	15.4	0.0	5.9	17.2	30.3			
Actions per Judgeship	Filings	Total	884	972	849	776	776	744	12 2		
		Civil	364	356	313	314	340	342	40 6		
		Criminal Felony	427	535	452	373	346	310	3 2		
		Supervised Release Hearings	93	81	84	90	90	92	9 1		
	Pending Cases <sup>2</sup>		750	761	820	771	770	776	17 4		
	Weighted Filings <sup>2</sup>		657	682	631	592	584	580	24 6		
	Terminations		802	962	798	830	776	745	7 2		
	Trials Completed		23	20	18	23	25	15	43 5		
	From Filing to Disposition	Criminal Felony	4.6	4.0	5.3	5.0	4.8	5.1	3 1		
		Civil <sup>2</sup>	7.0	8.1	8.7	8.9	8.0	7.6	36 4		
Median Time (Months)	From Filing to Trial <sup>2</sup> (Civil Only)		22.0	24.9	21.1	29.4	24.0	30.0	14 4		
	Number (and %) of Civil Cases Over 3 Years Old <sup>2</sup>		373 6.5	332 5.8	322 5.8	332 6.2	366 6.4	358 5.9	23 4		
	Average Number of Felony Defendants Filed per Case		1.1	1.1	1.1	1.1	1.1	1.1			
Other	Jurors	Avg. Present for Jury Selection	46.2	50.7	39.6	41.6	40.8	45.1			
		Percent Not Selected or Challenged	39.9	36.9	32.5	32.1	36.1	36.5			

## 2024 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Type of	Total	A	B	C	D	E	F	G	H	I	J	K	L
Civil	6,492	118	67	969	29	299	270	1,428	1,089	351	801	5	1,066
Criminal <sup>1</sup>	5,888	15	709	4,165	306	267	89	86	2	23	32	140	54

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings by "Nature of Offense" do not.

<sup>2</sup> See "Explanation of Selected Terms."